

ATTORNEY GENERAL AND MINISTER
RESPONSIBLE FOR HOUSING

BILL 9 – 2022

**ATTORNEY GENERAL STATUTES
AMENDMENT ACT, 2022**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Civil Resolution Tribunal Act

1 *Section 13.2 (c) of the Civil Resolution Tribunal Act, S.B.C. 2012, c. 25, is repealed.*

2 *The following section is added:*

Time limit – determination of extent of responsibility for accident

13.5 A party may not make a request under section 4 [*asking the tribunal to resolve a claim*] asking the tribunal to resolve a claim referred to in section 133 (1) (d) [*determination of extent of responsibility for accident*] more than the prescribed number of days after the date of a prescribed event.

3 *Section 16.4 (1) is amended*

(a) by striking out “and Division 5 [Objection to Tribunal Small Claim Decision] of Part 5 [Tribunal Resolution]”, and

(b) by repealing paragraph (c.1).

4 *Section 48 (5) is repealed.*

5 *Section 49 (3) is amended by adding “, parties, insurers” after “different classes of claim categories, disputes, claims, issues”.*

6 *Division 5 of Part 5 is repealed.*

7 *Section 58.1 (3) is repealed.*

8 *Section 62 (2) (m) (i) is amended by striking out “section 93 (2) (1)” and substituting “section 93 (2) (f)”.*

- 9 Section 93 (2) is amended by adding the following paragraphs:**
- (b.1) prescribing an event and the number of days in relation to the event for the purposes of section 13.5 [*time limit – determination of extent of responsibility for accident*];
 - (e.1) respecting claims referred to in section 133 (1) (a) and (d) [*claims within jurisdiction of tribunal for accident claims*], including respecting any matters required to be proven and the onus of proof with respect to any matters required to be proven;
 - (e.2) prescribing insurers for the purposes of section 133 (1) (d); .
- 10 Section 93 (2) (c) is repealed.**
- 11 Section 93 (3) is amended by adding “, parties, events, insurers” after “different classes of claim categories, disputes, claims, issues”.**
- 12 Section 132 is amended in the definition of “accident”**
- (a) in paragraph (a) by adding “or a determination of responsibility referred to in section 133 (1) (d)” after “the benefits referred to in section 133 (1) (a)”**,
 - (b) by striking out “or” at the end of paragraph (a)**,
 - (c) by adding “, and” at the end of paragraph (b) (ii), and**
 - (d) by adding the following paragraph:**
 - (c) in respect of a determination of responsibility referred to in section 133 (1) (d) of this Act, has the same meaning as in section 1.1 of the *Insurance (Vehicle) Act*; .
- 13 Section 132 is amended by adding the following definitions:**
- “Insurance Corporation of British Columbia”** means the Insurance Corporation of British Columbia continued by the *Insurance Corporation Act*;
 - “insurer”** has the same meaning as in section 1 of the *Insurance (Vehicle) Act*; .
- 14 Section 133 is amended**
- (a) in subsection (1) (a) by adding “by an insurer” after “the determination”**,
 - (b) in subsection (1) by adding the following paragraph:**
 - (d) the determination by the Insurance Corporation of British Columbia or a prescribed insurer of the extent to which the initiating party is responsible for the accident. , **and**
 - (c) in subsection (2) (b) by adding “or (d)” after “subsection (1) (c)”.**

Legal Profession Act

15 *Section 62 (1) of the Legal Profession Act, S.B.C. 1998, c. 9, is repealed and the following substituted:*

(1) A lawyer or law firm must deposit money received or held in trust in an interest bearing trust account

(a) at a savings institution designated under section 33 (3) (b), and

(b) that is in compliance with subsection (1.1) of this section.

(1.1) A trust account referred to in subsection (1) must bear interest at a rate approved by the board and any charges or fees charged to the foundation in respect of the account must be charged at an amount approved by the board.

16 *Section 63 (2) (a) is amended by adding “subject to the interest rate and amount for any fees or charges approved by the board under section 62 (1.1),” before “use an approved form of agreement”.*

Notaries Act

17 *Section 29 (3) of the Notaries Act, R.S.B.C., 1996, c. 334 is amended by striking out “14th day” and substituting “fourteenth day”.*

18 *Section 52 (1) (f) is repealed.*

19 *Section 54 (1) is repealed and the following substituted:*

(1) A member must deposit money received from or held for or on behalf of the member’s clients generally in an interest bearing trust account

(a) at a savings institution referred to in section 23 (2), and

(b) that is in compliance with subsection (1.1) of this section.

(1.1) A trust account referred to in subsection (1) must bear interest at a rate approved by the board of governors and any charges or fees charged to the foundation in respect of the account must be charged at an amount approved by the board of governors.

Transitional Provisions

Civil Resolution Tribunal Act transition – notice of objection

- 20** (1) In this section:
- “**final decision**” has the same meaning as in section 1 (1) of the *Civil Resolution Tribunal Act*;
- “**tribunal small claim**” has the same meaning as in section 1 (1) of the *Civil Resolution Tribunal Act*.
- (2) The following provisions of the *Civil Resolution Tribunal Act*, as they read on June 30, 2022, continue to apply in respect of a tribunal small claim if a final decision in relation to the tribunal small claim is effective under section 50 [when final decision is effective] of that Act before July 1, 2022:
- (a) section 13.2 (c);
 - (b) section 16.4 (1);
 - (c) section 48 (5);
 - (d) Division 5 of Part 5;
 - (e) section 58.1 (3).
- (3) The regulations made under section 93 (2) (c) of the *Civil Resolution Tribunal Act*, as they read on June 30, 2022, continue to apply in respect of a tribunal small claim if a final decision in relation to the tribunal small claim is effective under section 50 of that Act before July 1, 2022.

Commencement

- 21** The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Section 1	July 1, 2022
3	Section 2	By regulation of the Lieutenant Governor in Council
4	Sections 3 and 4	July 1, 2022
5	Section 5	By regulation of the Lieutenant Governor in Council
6	Sections 6 and 7	July 1, 2022
7	Section 9	By regulation of the Lieutenant Governor in Council

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Item	Column 1 Provisions of Act	Column 2 Commencement
8	Section 10	July 1, 2022
9	Sections 11 to 14	By regulation of the Lieutenant Governor in Council
10	Section 20	July 1, 2022